

REMARKS

Claims 1 – 10, 12 – 19, 30 – 32 and 34 – 37 are pending; claims 12 – 19 are allowed; and claims 1, 4 – 10, 30 – 32, 34, 36 and 37 are rejected.

The applicant's attorney cancels claim 1 and amends claims 2 – 4, 7 – 10, 30, 34 and 35. Claim 3 is amended to convert it into an independent claim by including the limitations of claim 1 from which it depends, and to more clearly recite an aspect of the applicant's invention. The amendment to claim 3 does not narrow claim 3. Claims 2, 4, 7 – 10 and 35 are amended to change each of their dependences from claim 1 to claim 3. Claim 30 is amended not to overcome the examiner's rejection under 35 U.S.C. §103(a), but to more clearly recite an aspect of the applicant's invention. The amendment to claim 30 does not narrow claim 30. Claim 34 is amended to more clearly recite an aspect of the applicant's invention. The amendment to claim 34 does not narrow claim 34.

The applicant's attorney respectfully disagrees with the examiner's objection to the language of claim 3, as amended, and the examiner's rejection of claim 30, as pending before the current amendment, and claim 37 under 35 U.S.C. §103(a). The applicant's attorney asserts that claims 2 – 10, 30 – 32 and 34 – 37, as amended, are in condition for allowance for the reasons discussed below.

Objection to Language in Claim 3, as amended

The applicant's attorney respectfully disagrees with the examiner's objection to the language of claim 3, as amended, because a support disclosed in the specification, for example 10 in FIG. 3, does include a leg attached to the body and not attached to the arm. However, the applicant's attorney has added the word "directly" between "not" and "attached" to claim 3 to more clearly recite this aspect of the support.

Rejection of Claims 30 – 32, 34, 36 and 37 under 35 U.S.C. §103(a)

The applicant's attorney respectfully disagrees with the examiner's rejection of claim 30, as pending before the current amendment, over U.S. Patent 4,223,860 issued to Prest (Prest) because Prest fails to disclose moving an arm ring and a leg ring in the same direction to simultaneously extend an arm and a leg to an extended position. The current amendment to claim 30 does not delete this aspect of the applicant's method. As stated above, claim 30 is currently amended to more clearly recite an aspect of the applicant's method. Therefore, even though the discussion that follows compares an aspect of the currently amended claim 30 to the convertible stand disclosed in Prest, the aspect was present in claim 30 before the current amendment.

To establish a *prima facie* case of obviousness, three basic elements are required. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. And third, the references when combined must teach or suggest all the claim limitations. MPEP; 8th edition; §2143.

The applicant's claim 30, as amended, recites moving a moving arm ring in a direction, and a moving leg ring in the same direction to simultaneously extend an arm and a leg to an extended position.

For example, as shown in FIGS. 1, 2 and 3 and discussed in paragraphs 18 – 20, 25 and 26, a support 10 includes a body 16, an arm attachment assembly 18 to attach arms 12 to the body 16, and a leg attachment assembly 20 to attach legs 14 to the body 16. The arm attachment assembly 18 includes a moving arm ring 26 and a fixed arm ring 24. When the moving arm ring 26 is moved toward the fixed arm ring 24, the arms 12 extend to an extend position (FIG. 1). The leg attachment assembly 20 includes a moving leg ring 32 and a fixed leg ring 30. When the moving leg ring 32 is moved toward the fixed leg ring 30, the legs 14 extend to an extend position (FIG. 1). To simultaneously extend the arms 12 and legs 14, one moves the moving arm ring 26 and the moving leg ring 32 in the same direction toward their respective fixed rings 24 (arm) and 30 (leg).

In contrast, Prest fails to disclose moving a moving arm ring in a direction, and a moving leg ring in the same direction to simultaneously extend an arm and a leg to an extended position. Prest discloses a convertible table 10 (FIGS. 1 and 2) that includes a stand 18 (FIGS. 1, 2), legs 24, 26 and 28 (FIG. 2) extendable from the stand 18, and links 54, 56 and 58 (FIG. 2) also extendable from the stand 18. Each leg 24, 26 and 28 is pivotally attached to a collar 36 (FIG. 2) that is positionally secured and affixed to the stand 18 by screws 40, 42 and 44 (FIGS. 2 and 4). Each link 54, 56 and 58 is pivotally attached to a respective one of the legs 24, 26 and 28 and to a slidable collar 46 (FIG. 2) that can be locked to the stand 18 by screws 68, 70 and 72 (FIGS. 2 and 3). The position of the legs 24, 26 and 28 and the links 54, 56 and 58 relative to the stand 18 depends on the position of the collar 46 relative to the collar 36. For example, when the legs 24, 26 and 28 and links 54, 56 and 58 are in the retracted position shown in FIG. 1, and the collar 46 is moved toward the collar 36, the legs and links pivot away from the stand 18. To retract the legs and links back to the position shown in FIG. 1 the collar 46 is moved away from the collar 36. Thus, one moves only one collar (46) to extend the legs 24, 26 and 28 and links 54, 56 and 58; not two collars. Furthermore, moving both collars 36 and 46 in the same direction will not extend or retract the legs and links. Therefore, unlike the applicant's method, the method for simultaneously extending Prest's legs 24, 26 and 28 and links 54, 56 and 58 does not involve moving a moving arm ring in a direction and a moving leg ring in the same direction.

Claims 31 – 32, 34, 36 and 37 are allowable by virtue of their respective dependencies from claim 30.

Conclusion

The applicant's attorney respectfully requests the examiner withdraw his rejection of claims 2, 4 – 10, 30 – 32, 34, 36 and 37 in view of the amendments and the remarks, and issue an allowance for claims 2 – 10, 12 – 19, 30 – 32 and 34 – 37.

Should any additional fees be required, please charge them to Deposit Account No. 07-1897.

If the Examiner believes that a phone interview would be helpful, he is respectfully requested to contact the Applicant's attorney, John Janeway, at (425) 455-5575.

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Respectfully submitted,

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